

deletion because it is included within the definition of "State" set forth in §1-101(i).

In subsection (c), new language is added to indicate that the court may issue a summons ordering the appearance of an agent of the consignee or consignor in order to maintain consistency with the provisions of subsection (b). New language also is added to the last sentence to indicate that the court may order any law enforcement officer to burn or destroy trees to maintain consistency with Art. 66C, §54 of the Code. The only other changes made are in style.

SEC. 5-311. SHIPPING NURSERY STOCK WITHOUT CERTIFICATE PROHIBITED; TAG REQUIRED.

(A) SHIPPING NURSERY STOCK WITHOUT CERTIFICATE PROHIBITED.

NO NURSERYMAN, BROKER, AGENT, DEALER, OR OTHER PERSON MAY SELL, SHIP, SEND OUT, DONATE BY MAIL, EXPRESS, FREIGHT, OR OTHERWISE, NURSERY STOCK FROM ANY NURSERY, ORCHARD, OR PREMISES WHERE NURSERY STOCK IS GROWN UNLESS IT IS ACCOMPANIED BY A COPY OF THE DEPARTMENT CERTIFICATE PRINTED ON A TAG OR LABEL THAT IS NOT EASILY DESTROYED.

(B) TAG REQUIRED.

THE TAG OR LABEL SHALL BE FIRMLY ATTACHED IN A CONSPICUOUS POSITION ON EACH CARLOAD, BOX, BALE, OR PACKAGE SENT OUT OR DELIVERED.

REVISOR'S NOTE: This section is new language derived from the last sentence of Art. 48, §79 of the Code.

SEC. 5-312. CONDEMNATION OF DISEASED NURSERY STOCK.

IF ANY NURSERYMAN, DEALER, OR AGENT OF A CARRIER SELLS, SHIPS, OR DELIVERS ANY NURSERY STOCK IN THE STATE, INFECTED WITH INJURIOUS DISEASES, AND UPON EXAMINATION BY THE SECRETARY IS CONDEMNED, THE NURSERY STOCK SHALL BE DESTROYED, AND THE NURSERYMAN, DEALER, OR AGENT SHALL FORFEIT THE VALUE OF THE STOCK AND MAY NOT COLLECT ITS VALUE FROM THE PURCHASER OR CONSIGNEE.

REVISOR'S NOTE: This section presently appears as Art. 48, §83 of the Code. The first sentence